



ZONING ADMINISTRATOR NOTICE OF DECISION

Date: September 11, 2012
Applicant: Iglesia Caminando Con Jesus
Case No.: PCC-12-027
Address: 1421 Hilltop Drive
Project Planner: Michael W. Walker

Notice is hereby given that on September 11, 2012 the Zoning Administrator considered Conditional Use Permit (CUP) application PCC-12-027, filed by Iglesia Caminando Con Jesus ("Applicant"). The Applicant requests permission to extend the CUP for the existing church ("Project"). The Project site is located at 1421 Hilltop Drive ("Project Site") owned by Hung L. Vu ("Property Owner"). The Project Site is zoned Neighborhood Commercial (CN) by the Chula Vista Municipal Code (CVMC), and designated Commercial Retail (CR) by the General Plan. The Project is more specifically described as follows:

The Project is a request to extend CUP (PCC-07-035) by Iglesia Caminando Con Jesus allowing the church to continue operating at 1421 Hilltop Drive. The church was originally established in 2007 in an existing single-story, 3,056 sq.ft., two-tenant commercial building. The commercial building is separated into two suites; Suite #2 is 991 sq.ft. and currently occupied by RLO Productos Naturales, a retail business; and Suite #1 is 2,065 sq.ft., where the church currently holds worship services for a congregation of 36 members. No other changes are proposed with this extension request.

Per CVMC Section 19.62.050(9), churches require one parking space per 3.5 seats in the auditorium, and Section 19.62.050(26) requires one space for every 200 sq. ft. of retail space. The church requires 10 parking spaces for the 36 auditorium seats and the retail use requires five parking spaces. There are 14 on-site parking spaces which is one space short of the 15 total required spaces. However, the existing spaces are sufficient to accommodate the church and retail business because the church will have the maximum number of people attend worship services on Sundays and Tuesday and Friday evenings when more parking is available. The church will use the space to hold worship services according to the following schedule:

Time	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday
10AM and 6PM	Worship services					
7PM			Bible Study			
7PM						Bible Study

The Project has been reviewed for compliance with the California Environmental Quality Act (CEQA), and it has been determined that the Project qualifies for a Class 1 categorical exemption pursuant to Section 15301 (existing facilities) in accordance with the State CEQA Guidelines. No further environmental review is necessary.

The Zoning Administrator, under the provisions of Sections 19.14.030.A of the CVMC, has been able to make the findings for approval of this conditional use permit as required by CVMC Section 19.14.080:

1. **That the proposed use at this location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.**

The Iglesia Caminando Con Jesus will continue to provide a convenient place of choice for worship for citizens residing in Chula Vista. The church will occupy 2,065 sq ft. of an existing single-story, 3,056 sq ft., two-tenant commercial building. The use will be conducted at a convenient and accessible location that contains the amenities necessary to support the use.

2. **That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

The church is located within an existing single-story, 3,065 sq ft., two-tenant commercial building within a small commercial area surrounded by residential uses. The church is extending the use for another five years from the original June 25, 2007 approval date. The church has a small 36 member congregation who attend worship services on Sundays and Tuesday and Friday evenings. This will not impact the retail use on-site and the surrounding neighborhood. The church will use the space to hold worship services according to the following schedule:

Time	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday
10AM and 6PM	Worship services					
7PM			Bible Study			
7PM						Bible Study

3. **That the use will comply with the regulations and conditions specified in the code for such use.**

Per CVMC Section 19.62.050(9), churches require one parking space per 3.5 seats in the auditorium, and Section 19.62.050(26) requires one space for every 200 sq ft. of retail space. The church requires 10 parking spaces for the 36 auditorium seats and the retail use requires five parking spaces. There are 14 on-site parking spaces which is one space short of the 15 total required spaces. However, the existing spaces are sufficient to accommodate the church and the existing retail business because the church will have the maximum number of people attend worship services on Sundays and Tuesday and Friday evenings when more parking is available. The approval of this conditional use permit is contingent on the Applicant's and Property Owner's commitment to satisfy all conditions of approval and to comply with all applicable regulations and standards specified in the Municipal Code. The Applicant has committed to implement and satisfy all conditions of approval for the proposed use, and will comply with all applicable City zoning regulations.

4. **That the granting of the Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.**

The church is a temporary use under this permit that provides a place of worship to community. The Zoning Ordinance identifies a church as an "Unclassified Use", which is allowed in any zone with a conditional use permit. The use is temporary as it has a 5-year approval, thereby not affecting the goals and objectives of the General Plan.

Approval of PCC-12-027 is conditioned upon the following conditions in Sections I, II and III:

I. The following conditions of approval shall be satisfied prior to issuance of the building permit for the project:

- A. The Property Owner and the Applicant shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the Property Owner and Applicant have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 days shall indicate the Property Owner/Applicant's desire that the project, and the corresponding application for building permits and/or a business license, be held in abeyance without approval.

Signature of Representative

Date

Signature of Authorized Property Owner

Date

Building Division Condition:

1. The Applicant shall comply with the 2010 California Building Code (CBC), California Mechanical Code (CMC), California Plumbing Code (CPC), California Electrical Code (CEC), California Fire Code (CFC), 2008 California Energy Code the 2010 Green Building Standards and all other locally adopted City and state requirements.

II. The following conditions shall be satisfied prior to occupancy:

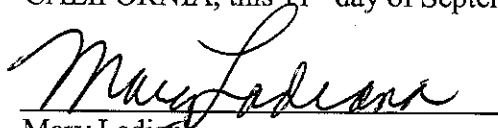
Fire Conditions:

2. The Applicant shall provide one (1) 2:A-10:B:C fire extinguisher for every 75 feet of travel in any direction.
3. The Applicant shall provide a Knox Vault at the main entrance to the building

III. The following on-going conditions shall apply to the subject property as long as it relies upon this approval.

4. The Applicant shall maintain the Project in accordance with the approved plans for PCC-12-027 date stamped approved on September 11, 2012, which includes a site plan and elevations on file in the Planning Division, the conditions contained herein and Title 19.
5. The Applicant shall ensure all parking for the church is on-site.
6. The Applicant shall conduct band and music activities indoors, and maintain compliance with Chapter 19.68 Performance Standards and Noise Control.
7. Approval of this Conditional Use Permit shall not waive compliance with all sections of Title 19 (Zoning) of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance.
8. This Conditional Use Permit authorizes only the use specified in the application for PCC-12-027, which shall expire in five years on September 11, 2017 unless a request for extension is made to the Zoning Administrator. Any new use or modification/expansion of uses authorized under PCC-12-027 shall be subject to the review and approval of the Zoning Administrator.
9. The Applicant/Operator and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its Council members, officers, employees, agents and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorneys' fees (collectively, "liabilities") incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein. Applicant/Operator shall acknowledge their agreement to this provision by executing a copy of this conditional use permit where indicated, above. Applicant's/Operator's compliance with this provision is an express condition of this conditional use permit and this provision shall be binding on any and all of Applicant's/Operator's successors and assigns.
10. This Conditional Use Permit shall become void and ineffective if not utilized or extended within the time allotted in Section 19.14.260 of the Municipal Code.
11. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit.
12. If any of the foregoing conditions fails to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. Applicant or a successor in interest gains no vested rights by the City's approval of this conditional use permit.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 11th day of September 2012.



Mary Ladiana
Zoning Administrator